

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JOHN P. HENDRICKSON,
individually and on behalf of all
others similarly situated,

Plaintiffs,

V.

RYAN SETTY-O'CONNOR,

Defendant.

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No. 3:22-cv-2930-S-BN

MOTION TO DISMISS

COMES NOW, Defendant Ryan Setty-O'Connor, by and through his attorney, Joslyn Smith of the Law Office of J.R. Smith, PLLC, files and presents this Motion for Dismissal, pursuant to Federal Rule of Civil Procedure 12(b)(6), by asserting the Plaintiffs most recent Amended Petition fails to state a claim in which relief can be granted. (See Doc 25.)

FACTS ALLEGED

Plaintiffs in this matter assert that Ryan Setty O'Connor is personally liable to each of them for violations that occurred during their employment, namely Fair Labor Standards Act (FLSA) violations for failure to pay overtime wages. Plaintiffs also assert violations of the Texas Labor Code and Texas Payday Law for failure to pay minimum wages and final wages from employment.

Plaintiffs assert that Ryan Setty O'Connor was the co-owner and director of business development for MerLux Pools, LLC, and that in that capacity, he had the power to hire and fire MerLux

employees, control employees' schedules, supervise their work, and pay overtime and final wages. Plaintiffs further insist that Ryan Setty O'Connor, is "in whole or in part, responsible for the overtime violations at issue in this lawsuit." (See Doc 25, Line 17)

The counts listed against Ryan Setty O'Connor consist of (1) Failure to Pay Overtime Wages in Violation of the FLSA, and (2) Failure to Pay Final Pay and Minimum Wage in Violation of the Texas Labor Code.

ARGUMENTS AND AUTHORITIES

A. Federal Rules of Civil Procedure 12(b)(6).

The Federal Rules of Civil Procedure ("FRCP") 12(b)(6) require "a short and plain statement of the claim showing that the pleader is entitled to relief." Fed. R. Civ. P. 8(a)(2). If a plaintiff fails to satisfy Rule 8(a), the defendant may file a motion to dismiss the plaintiff's claims for "failure to state a claim upon which relief may be granted." Fed. R. Civ. P. 12(b)(6). To defeat the motion to dismiss, the plaintiff must plead "enough facts to state a claim to relief that is plausible on its face." *Bell Att. Corp. v. Twombly*, 550 U.S. 544, 570 (2007); see *Ashcroft v. Iqbal*, 556 U.S. 662, 663 (2009).

"A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Id.* (citing *Twombly*, 550 U.S. at 556). If a complaint pleads facts that are "'merely consistent with' a defendant's liability, it 'stops short of the line between possibility and plausibility of entitlement to relief.'" *Iqbal*, 556 U.S. at 678 (quoting *Twombly*, 550 U.S. at 557).

B. Plaintiffs' claims are barred by bankruptcy discharge as to Ryan Setty O'Connor under 11 U.S.C. 524.

“A debtor's discharge in bankruptcy, under the holding of the Supreme Court of the United States and also of the Supreme Court of this state, is a prima facie defense in any suit against him based on a debt existing at the time of the filing of his petition, and casts upon the creditor attempting to defeat the effect thereof the burden of showing, if he can, that his debt was not duly scheduled.” *Kreitlein v. Ferger*, 238 U. S. 21, 35 S. Ct. 685, 59 L. Ed. 1184; *State v. National Bank*, 116 Tex. pages 214, 216, et seq., 288 S.W. 435, 436, et seq. *Edrington v. Gee*, 30 S.W.2d 360, 362 (Tex. Civ. App. 1930).

On September 25, 2023, Ryan Setty O'Connor filed his Chapter 7 bankruptcy petition, in which Plaintiffs and their counsel, Mr. Gaspar, are listed on the schedule of unsecured claims. (See Doc 26) The deadline for Plaintiffs filing a complaint or motion in the bankruptcy court was December 18, 2023. (See Ex A) Plaintiffs would have had to file a complaint if they asserted that Ryan Setty O'Connor is not entitled to receive a discharge or if they wanted their debt excepted from the discharge. Plaintiffs would have had to file a motion if they wanted to assert that the discharge should be denied.

On December 20, 2023, Ryan Setty O'Connor's bankruptcy was discharged as to all claims against him, including Plaintiffs claims in this suit, which were included in such discharge. (See Doc 26) Plaintiffs failed to take any actions to preserve their claims against Ryan Setty O'Connor and therefore, their claims in this lawsuit are barred as a matter of law.

PRAYER

Ryan Setty O'Connor prays that this Court finds that due to Plaintiffs' lack of action in the bankruptcy proceeding to preserve or exempt their claim, and because the bankruptcy of Ryan Setty O'Connor was discharged, that this case be dismissed with prejudice for failing to state a claim in which relief can be granted.

Date: March 26, 2024

Respectfully Submitted,
/s/ Joslyn R. Smith
Joslyn R. Smith
State Bar No.: 24117080
Law Office of J.R. Smith
4805 Neptune Court,
Flower Mound, Texas 75022
682-900-1799 (telephone)
js@lojrs.com (email)
Attorney for Defendant

CERTIFICATE OF SERVICE

This is to certify that on March 26, 2024, I electronically filed the foregoing document with clerk of the court for the U.S. District Court, Northern District of Texas, Dallas Division of Texas, using the electronic filing system of the court, PACER and included all parties and their counsel of record.

/s/ Joslyn R. Smith
Joslyn R. Smith

EXHIBIT A

Information to identify the case:			
Debtor 1:	Ryan P. Setty-O'Connor		
First Name	Middle Name	Last Name	
Debtor 2:			
(Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court:	Northern District of Texas		
Case number:	23-42882-elm7		
Social Security number or ITIN:	xxx-xx-9239		
EIN:	--		
Social Security number or ITIN:	----		
EIN:	--		
Date case filed for chapter:	7		9/26/23

Official Form 309A (For Individuals or Joint Debtors)
Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline 10/20

For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read all pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <https://pacer.uscourts.gov>).

The staff of the bankruptcy clerk's office cannot give legal advice.

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

	About Debtor 1:	About Debtor 2:
1. Debtor's full name	Ryan P. Setty-O'Connor	
2. All other names used in the last 8 years	fka Ryan P. Setty	
3. Address	2001 Oak Bluff Dr. Arlington, TX 76006	
4. Debtor's attorney Name and address	Derek K. Prosser Toronjo & Prosser Law 6440 N. Central Expressway Suite 104 Dallas, TX 75206	Contact Phone: (214) 609-8787 Email: dprosser@t-plaw.com
5. Bankruptcy trustee Name and address	Laurie Dahl Rea Rochelle McCullough LLP 300 Throckmorton Street Ste 520 Fort Worth, TX 76102	Contact Phone: 817-347-5260 Email: trusteeauriere@gmail.com

For more information, see page 2 >

6. Bankruptcy clerk's office Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at https://pacer.uscourts.gov .	501 W. Tenth Street Fort Worth, TX 76102 BY TELEPHONE The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket. Debtor attorneys will be responsible for verifying both the debtors' photo ID and the debtors' social security number on the record. If you are a pro se debtor who appears by telephone, the trustee may require that you appear at a continued meeting in order to present your proof of identification and social security number and to affirm that you were the one who testified at the telephonic meeting.	Hours open: Mon.–Fri. 8:30–4:30 Contact Phone: 817–333–6000 Date: 9/26/23
7. Meeting of creditors Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.	October 18, 2023 at 12:10 PM BY TELEPHONE The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket. Debtor attorneys will be responsible for verifying both the debtors' photo ID and the debtors' social security number on the record. If you are a pro se debtor who appears by telephone, the trustee may require that you appear at a continued meeting in order to present your proof of identification and social security number and to affirm that you were the one who testified at the telephonic meeting.	Trustee: Laurie Dahl Rea Toll free number: 877–939–6318 Alternate number: 203–607–1862 Participant Code: 9850450
8. Presumption of abuse If the presumption of abuse arises, you may have the right to file a motion to dismiss the case under 11 U.S.C. § 707(b). Debtors may rebut the presumption by showing special circumstances.	The presumption of abuse does not arise.	
9. Deadlines The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.	File by the deadline to object to discharge or to challenge whether certain debts are dischargeable: Filing deadline: 12/18/23 You must file a complaint: <ul style="list-style-type: none"> • if you assert that the debtor is not entitled to receive a discharge of any debts under any of the subdivisions of 11 U.S.C. § 727(a)(2) through (7), or • if you want to have a debt excepted from discharge under 11 U.S.C § 523(a)(2), (4), or (6). You must file a motion: <ul style="list-style-type: none"> • if you assert that the discharge should be denied under § 727(a)(8) or (9). 	
	Deadline to object to exemptions: The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.	
10. Proof of claim Please do not file a proof of claim unless you receive a notice to do so.	No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.	
11. Creditors with a foreign address	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	
12. Exempt property	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at https://pacer.uscourts.gov . If you believe that the law does not authorize an exemption that the debtors claim, you may file an objection. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 9.	

Because of developing issues with the COVID–19 virus and the national declaration of emergency by the President of the United States, § 341 Meetings of Creditors (?Meetings?) will be conducted telephonically. The telephone call in numbers and participant code are found on the enclosed Notice.

Additional Dial–In Information:

- (1) You must use a touch–tone phone to participate.
- (2) Landline preferred. If you have a choice, use a landline phone, instead of a cell phone. Do not use a speaker phone.
- (3) Dial the call–in number and then enter the participant code, which consists of 7 numbers and is followed by a # sign. Immediately place your phone on mute.
- (4) Make the call from a quiet area where there is as little background noise as possible.
- (5) As more than one Meeting will be held during this period, listen for your case to be called. When your case is called, unmute your phone and identify yourself.
- (6) When speaking during your case, identify yourself.
- (7) Do not put the phone on hold at any time after the call is connected.
- (8) If any party is attending the Meeting from the same location as another party, use separate touch–tone phones to participate.
- (9) Once the case Meeting is finished, hang up.
- (10) If you become disconnected before your Meeting is finished, call back.

Bankruptcy Documents:

Debtors should have their bankruptcy documents available in the event there are questions about the information in the documents.

Recording: The Meetings will be recorded by the trustee or United States Trustee.

United States Bankruptcy Court

Northern District of Texas

In re:
 Ryan P. Setty-O'Connor
 Debtor

Case No. 23-42882-elm
 Chapter 7

CERTIFICATE OF NOTICE

District/off: 0539-4

User: admin

Page 1 of 4

Date Rcvd: Sep 27, 2023

Form ID: 309A

Total Noticed: 152

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 29, 2023:

Recip ID	Recipient Name and Address
db	+ Ryan P. Setty-O'Connor, 2001 Oak Bluff Dr., Arlington, TX 76006-5727
20254644	+ 4050 MUV, LLC, c/o Friedman & Feiger, 5301 Spring Valley Road, Suite 200, Dallas, TX 75254-2488
20254645	4Imprint, Inc., 25303 Network Place, Chicago, IL 60673-1253
20254669	+ ATD Concrete Coatings, 616 E. Ave J., Grand Prairie, TX 75050-2562
20254646	+ Aaron Rocha, 1485 Snyder Court, Lucas, TX 75002-8293
20254647	+ Abargile Meir & Estela Dominguez, 1500 Sara Cove, Lucas, TX 75002-6900
20254648	+ Alan Hopper, 5007 Bradford Dr., Dallas, TX 75235-8308
20254649	Alert 360, P.O. Box 21031, Tulsa, OK 74121-1031
20254650	+ Alert 360/Guardian Security, c/o Rosenthal Morgan and Thomas, Inc., 514 Earth City Plaza, Suite 220, St. Louis, MO 63045-1303
20254651	+ Alex Heredia, 7242 May Hall Drive, Frisco, TX 75034-4483
20254652	+ Alliance Pro Electric, LP, 15578 Highway 114, Justin, TX 76247-8555
20254653	+ Allstar Masonry & Construction, 2319 W. Newton Circle, Irving, TX 75062-6704
20254655	+ Amanda & Terry Shephard, 11521 Twining Branch Circle, Haslett, TX 76052-3416
20254658	+ Andrew Hazel, 6400 Glenhollow Drive, Plano, TX 75093-8025
20254659	+ Andrew Williams, 660 Alexandrite Dr., Oak Pointe, TX 75068-2275
20254660	+ Angel Marrero, 533 Tuscany Dr., Forney, TX 75126-4178
20254661	+ Angel Nava, 501 N. Main St., Weatherford, TX 76086-2433
20254662	+ Anjali & Paul Thottakara, 1044 St. Francis Ln., Flower Mound, TX 75028-8202
20254663	+ Antone & Marsha Thompson, 7201 Faught Rd., Argyle, TX 76226-4490
20254664	+ Anusha Raavi, 3444 Begonia Ln., Irving, TX 75038-3569
20254666	+ Aquabella, Attn: Credit Department, 11906 Brittmoore Park Dr., Houston, TX 77041-7345
20254667	+ Aramark Uniforms, PO Box 731676, Dallas, TX 75373-1676
20254668	+ Asha & Kalyan Indoori, 8055 Wine Barrell Lane, Frisco, TX 75035-1393
20254671	+ Basler Properties, LLC, c/o Michael Basler, 1090 Texan Trail, Grapevine, TX 76051-3703
20254672	+ Billie & Keith Glazner, 1521 Chesterfield Dr., Carrollton, TX 75007-2848
20254673	+ BlueCross BlueShield of Texas, PO Box 655730, Dallas, TX 75265-5730
20254674	+ Brandon & Sarah Fisher, 3619 French Creek Dr., Heartland, TX 75126-2587
20254675	+ Burlington Building Materials, Inc., 8001 Bent Branch Dr., Irving, TX 75063-6024
20254676	+ Candelario Davila, 1419 S. Montreal Ave., Dallas, TX 75208-7740
20254678	+ Chance Jobe, 8113 Yacht Club Dr., Rowlett, TX 75089-2511
20254681	+ Cherise & Kenneth Johnson, 9004 Ridge River Way, Fort Worth, TX 76131-1803
20254682	+ Corporate Billing LLC, Dept. 100, PO Box 830604, Birmingham, AL 35283-0604
20254683	+ Courtney & Mathew Rice, 1454 Oliver Creek Ln., Justin, TX 76247-1608
20254684	+ Credit Internatioonal Corporation, PO Box 1268, Bothwell, WA 98041-1268
20254685	+ Currency Express Financing, 575 Anton Blvd., 12th Floor, Costa Mesa, CA 92626-7169
20254686	+ Datamax Inc., PO Box 2235, St. Louis, MO 63109-0235
20254687	+ David Colvin & Vicente Verduzco, 630 N. Hampton Rd., Dallas, TX 75208-3102
20254688	+ David Locky, 4158 Briargrove Lane, Dallas, TX 75287-6601
20254689	+ Dean & Heidi Knipping, 2902 Acacia Dr., Heartland, TX 75126-3519
20254692	+ Edward & Sherille Rivera, 201 monticello Dr., Mansfield, TX 76063-8635
20254693	+ Erica & Shadqunta Patton-Towns, 2501 Penshurts Court, Celina, TX 75009-1968
20254694	#+ Erin & Samuel Rice, 2253 Hideaway Pointe Dr., Little ELm, TX 75068-5982

District/off: 0539-4

User: admin

Page 2 of 4

Date Rcvd: Sep 27, 2023

Form ID: 309A

Total Noticed: 152

20254695 + Faber CNK Stone, 2207 Joe Field Rd., Dallas, TX 75229-3326

20254696 Ferguson, 2682 West Euless Blvd., Euless, TX 76040

20254697 + Fly Tile & Plaster, 7161 San Francisco Trail, Fort Worth, TX 76131-2852

20254698 + Friedman & Feiger, 5301 Spring Valley Road, Suite 200, Dallas, TX 75254-2488

20254702 + GE Steel Pool LLC, 3905 Rainer St., Irving, TX 75062-7283

20254700 + Gasper Law PLLC, 1408 N. Riverfront Blvd., Suite 323, Dallas, TX 75207-3912

20254703 + Gloria Stennett, 6711 Historic View Dr., Dallas, TX 75236-0108

20254704 + Grainger, 1305 N. Interestate 35E, Carrollton, TX 75006-8628

20254705 + Heidi & Wesley Porter, 12550 Verwood Circle, Farmers Branch, TX 75234-1329

20254706 Home Depot Credit Services, P.O. Box 7903420, St. Louis, MO 63179

20254707 + Intuit/Paycycle, Inc., 6884 Sierra Center Parkway, Reno, NV 89511-2210

20254708 + James & Vika Bonamy, 13524 Fishing Hole Ln., Haslet, TX 76052-4851

20254709 + James Bohr, 429 Bronzewood Ln., Fort Worth, TX 76131-1921

20254710 + Janet Kobylka, 10220 Cimmaron Trail, Dallas, TX 75243-2518

20254711 + Jared Hall, 1717 Caddo St. #105, Dallas, TX 75204-4201

20254712 + Jason & Jessica Hills, 2612 Green Oak Dr., Carrollton, TX 75010-4220

20254713 + Jason & Jonie Coleman, 4322 Cobalt Bloom Ct., Arlington, TX 76005-1229

20254714 + Jennifer Six, 2104 Benjamin Creek Dr., Little Elm, TX 75068-0017

20254715 + Jimmy & Stefanie Thomas, 2401 Simpson Ln., Mansfield, TX 76063-6457

20254716 + John Ngumba, 14716 Lost Wagon St., New Fairview, TX 76247-1775

20254717 + John P. Hendrickson, c/o Travis Gasper, 1408 N. Riverfront Blvd., Suite 323, Dallas, TX 75207-3912

20254718 + John Shaffer & Christy Raomaine, 1101 Bellevue Dr., Princeton, TX 75407-2826

20254719 + Jonathan Burgos, 748 Wild Flower Ln., Princeton, TX 75407-2916

20254721 + Khalil Issa, 2601 Coble Court, Bedford, TX 76021-4901

20254722 + Larry & Kyle Sciroto-Bradley, 939 N. Buckner Blvd., Dallas, TX 75218-2790

20254723 + Law Office of Kenneth M. Stillman, 11300 N. Central Expressway, Suite 408, Dallas, TX 75243-6712

20254724 + Leeroy Jordan Lumber Company, 11529 Emerald St., Dallas, TX 75229-2011

20254725 + Leslie's Poolmart Inc., PO BOX 501162, St. Louis, MO 63150-1162

20254726 + Liberty Mutual, PO Box 91013, Chicago, IL 60680-1171

20254727 + Lisa Brackett, 3 Roaring Creek Ct., Trophy Club, TX 76262-5434

20254728 + Living Earth, Dept 730004, PO Box 660919, Dallas, TX 75266-0919

20254729 + Lori Vaispour, 4528 Rustic Ridge Ct., The Colony, TX 75056-4077

20254731 + Manish Goyal, 2160 Longmont Ln., Prosper, TX 75078-1993

20254732 + Marc Pieroni, 3318 Bluffview Dr., Garland, TX 75043-1409

20254733 + Marco Atonio Rico, 3708 Sydney St., Fort Worth, TX 76119-2917

20254734 + Marcus Nelson, 4015 North FM 51, Weatherford, TX 76085-6811

20254735 + Mark & Natalie Hasbani, 4238 Merrell Rd., Dallas, TX 75229-5436

20254736 Mark A. Kirkorsky, 1119 S. Southern Ave., Suite 200, Mesa, AZ 85210

20254737 + Mark Mack, 3312 Kelsey Court, Flower Mound, TX 75028-2934

20254738 #+ Marshal Presley & Pipal PLLC, 2615 E. Southlake Blvd., Suite 200, Southlake, TX 76092-6689

20254739 + Matthew & Kate Lockhart-Dozois, 3598 Arrowwood Dr., Frisco, TX 75033-1249

20254740 + McCarthy, Burgess & Wolff, 26000 Cannon Rd., Cleveland, OH 44146-1807

20254741 #+ MerLux Pools LLC, 1088 Texan Trail, Grapevine, TX 76051-3703

20254742 + Michael Alacala, 2021 Livingston, Flower Mound, TX 75028-4538

20254743 + Michele Moore, 122 Springfield Ln., Waxahachie, TX 75165-7129

20254744 + Midway Urban Village LLC, 4050 McEwen Rd., Farmers Branch, TX 75244-5421

20254745 + Monreal Rebar Contractors LLC, 1221 W. Broadus St., Ft Worth, TX 76115-2313

20254746 + Munguia Pulido Plumbing, 3403 Jasper Dr., Grand Prairie, TX 75052-7872

20254747 + Namrata & Premal Bathia, 1731 Lincoln Rd., Lucas, TX 75002-6911

20254750 + New Champion Concrete, 7007 S FM 5, Aledo, TX 76008-4715

20254752 + NewRez - Shellpoint, 55 Beattie Place Suite 600, Greenville, SC 29601-2165

20254751 + Newest Construction Group, LLC, 1603 Pleasant Run, Keller, TX 76248-5379

20254753 + Niko Leinonen, 341 Kle Dr., Coppell, TX 75019-2946

20254754 + Noble Tile Supply Inc., 11215 Shady Trail, Dallas, TX 75229-4621

20254758 + PNC Equipment Finance, 655 Business Center Dr., Suite 250, Horsham, PA 19044-3448

20254755 + Patrick & Sara Shirey, 1701 Forest Pakr Dr., Prosper, TX 75078-1731

20254756 + Pete & Donna Dipasqua, 12073 Blackburn Way, Farmers Branch, TX 75234-1484

20254759 + Precision Gunite, LLC, 522 Benson Ln., Roanoke, TX 76262-6397

20254761 + QDI Stone Dallas LLC, 2605 Frewood Dr., Dallas, TX 75220-2510

20254764 #+ Roberto Rincon, 2525 Highway 360 #1117, Euless, TX 76039-5398

20254765 + Ryan Setty OConnor, 2001 Oak Bluff Dr., Arlington, TX 76006-5727

20254771 + SCP Distributors LLC, PO BOX 54200, New Orleans, LA 70154-4200

20254772 + SCP Pool Corp., 7610 Northshore Pl., North Little Rock, AR 72118-5310

District/off: 0539-4

User: admin

Page 3 of 4

Date Rcvd: Sep 27, 2023

Form ID: 309A

Total Noticed: 152

20254766 + Saeed & Maryam Razdar-Sanagoo, 1943 Ro Blanco Dr., Frisco, TX 75033-7654
 20254767 + Sammy Dorsey, 1017 Bannach Dr., Arlington, TX 76001-6108
 20254768 + Saul Lico, 1030 Hope Valley Pkwy., Roanoke, TX 76262-2100
 20254769 + Scarborough Specialties, 10501 Indiana Ave., Lubbock, TX 79423-5179
 20254770 + Scott & Kimberly Lauer, 3304 Dustin Trail, Hurst, TX 76054-6036
 20254773 + Shawn & Jennifer Gill, 813 Patio St., Aubrey, TX 76227-1485
 20254774 + Shawn Kremer, 1513 Evening Primrose Dr., Mansfield, TX 76063-4686
 20254775 + Sherwin Williams, 2121 W. University Dr., Denton, TX 76201-0645
 20254776 + State Auto Mutual Insurance Co., c/o Brown & Joseph, PPC, One Pierce Place, Suite 700 W, Itasca, IL 60143-2606
 20254777 + Stephen Platek, 5913 Myrtle Ln., Frisco, TX 75036-8832
 20254778 + Sunny & Seema Patel, 559 Richwoods Dr., Flower Mound, TX 75028-7012
 20254779 + Thomas & Lea Ann Bryant, 1426 Oliver Creek Ln., Justin, TX 76247-1608
 20254780 + Toronjo & Prosser Law, 6440 N. Central Expressway, Suite 104, Dallas, Texas 75206-4131
 20254781 + Travis Bowles & Ryan Delargarza, 1843 Pueblo St., Dallas, TX 75212-3814
 20254782 + Truist Loan Services, MC: 100-50-02-57, PO Box 2306, Wilson, NC 27894-2306
 20254784 UPS, PO Box 650116, Dallas, TX 75265-0116
 20254785 + Vari Sales Corp., PO Box 3588, Coppell, TX 75019-5546
 20254786 + Vega Decorative Concrete, 109 Pruett St., Blue Ridge, TX 75424-4444
 20254789 ++ WENDY M HARRIS, 400 WATERLANE DRIVE, MANSFIELD TX 76063-9100 address filed with court:, Wendy Harris, 400 Water Ln., Mansfield, TX 76063
 20254788 + Water Work Solutions, 2102 Houseley Dr., Dallas, TX 75228-2044
 20254790 + Wex Bank, QT Quiktrip, PO Box 4337, Carol Stream, IL 60197-4337
 20254791 Wheat Lumber Co., 809 South Dolliey St., Grapevine, TX 76051
 20254792 + White Cap, PO Box 4944, Building D. Suite 180, Orlando, FL 32802-4944
 20254793 + Zachary W. Setty-O'Connor, 2001 Oak Bluff Dr., Arlington, TX 76006-5727

TOTAL: 129

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	Email/Text: dprosser@t-plaw.com	Sep 27 2023 21:29:00	Derek K. Prosser, Toronjo & Prosser Law, 6440 N. Central Expressway, Suite 104, Dallas, TX 75206
tr	EDI: FLDREA	Sep 28 2023 01:25:00	Laurie Dahl Rea, Rochelle McCullough LLP, 300 Throckmorton Street, Ste 520, Fort Worth, TX 76102
20254654	+ EDI: GMACFS.COM	Sep 28 2023 01:25:00	Ally Financial, PO Box 380902, Bloomington, MN 55438-0902
20254657	Email/PDF: bncnotices@becket-lee.com	Sep 27 2023 21:36:03	American Express, P.O. Box 981531, El Paso, TX 79998-1531
20254665	+ Email/Text: GSBankElectronicBankruptcyNotice@gs.com	Sep 27 2023 21:29:00	Apple Card - GS Bank, P.O. Box 7247, Philadelphia, PA 19170-0001
20254670	+ EDI: BANKAMER.COM	Sep 28 2023 01:25:00	Bank of America, P.O. Box 982238, El Paso, TX 79998-2238
20254677	Email/Text: fpdbankruptcynticesgroup@cat.com	Sep 27 2023 21:29:00	Caterpillar Financial Services Corporati, 2120 West End Ave., PO Box 340001, Nashville, TN 37203-0001
20254690	Email/PDF: DellBKNotifications@resurgent.com	Sep 27 2023 21:36:02	Dell Business Credit, Payment Processing Center, PO Box 5275, Carol Stream, IL 60197
20254691	Email/PDF: DellBKNotifications@resurgent.com	Sep 27 2023 21:36:02	Dell Financial Services, One Dell Way, Round Rock, TX 78682
20254699	Email/Text: bankruptcyfilings@fundbox.com	Sep 27 2023 21:29:00	Fundbox, 300 Montgomery St., Suite 900, San Fransisco, CA 94104
20254679	EDI: JPMORGANCHASE	Sep 28 2023 01:25:00	Chase, Southwest Rapid Rewards, PO Box 15123, Wilmington, DE 19850-5123
20254680	EDI: JPMORGANCHASE	Sep 28 2023 01:25:00	Chase Ink, PO Box 15123, Wilmington, DE 19850-5123

District/off: 0539-4

User: admin

Page 4 of 4

Date Rcvd: Sep 27, 2023

Form ID: 309A

Total Noticed: 152

20254720	EDI: JPMORGANCHASE	Sep 28 2023 01:25:00	JPMCB Card Services, P.O. Box 15369, Wilmington, DE 19850
20254730	+ EDI: CITICORP.COM	Sep 28 2023 01:25:00	Macys/Citibank NA, PO Box 6789, Sioux Falls, SD 57117-6789
20254740	^ MEBN	Sep 27 2023 21:27:25	McCarthy, Burgess & Wolff, 26000 Cannon Rd., Cleveland, OH 44146-1807
20254748	Email/Text: e-bankruptcy@nasafcu.com	Sep 27 2023 21:29:00	Nasa FCU, Attn: Loan Servicing Dept., 500 Prince Georges Blvd., Upper Marlboro, MD 20774
20254749	Email/Text: bankruptcy@nfm.com	Sep 27 2023 21:29:00	Nebraska Furniture Mart, P.O. Box 3456, Omaha, NE 68103
20254757	Email/Text: bankruptcy@pb.com	Sep 27 2023 21:29:00	Pitney Bowes, 2225 American Drive, Neenah, WI 54956-1005
20254760	+ Email/Text: dllawbankruptcy@exchange.principal.com	Sep 27 2023 21:29:00	Principal Life Insurance Company, Group Benefits, 711 High Street, Des Moines, IA 50392-0001
20254762	Email/Text: BankruptcyMail@questdiagnostics.com	Sep 27 2023 21:29:00	Quest Diagnostics, P.O. Box 740779, Cincinnati, OH 45274-0779
20254656	Email/Text: bankruptcyteam@rentokil.com	Sep 27 2023 21:29:00	Ambius, PO Box 14086, Reading, PA 19612
20254763	+ Email/Text: ecfbankruptcy@nrg.com	Sep 27 2023 21:29:00	Reliant Energy Retail Services, P.O. Box 650475, Dallas, TX 75265-0475
20254783	+ Email/Text: accounts.receivable@uline.com	Sep 27 2023 21:29:00	ULine, PO Box 88741, Chicago, IL 60680-1741
20254787	EDI: VERIZONCOMB.COM	Sep 28 2023 01:25:00	Verizon, PO Box 408, Newark, NJ 07101-0408
20254789	Email/Text: wendyharris1@att.net	Sep 27 2023 21:29:00	Wendy Harris, 400 Water Ln., Mansfield, TX 76063
TOTAL: 25			

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
20254701	*+	Gaspar Law PLLC, 1408 N. Riverfront Blvd., Suite 323, Dallas, TX 75207-3912

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 29, 2023

Signature: /s/Gustava Winters